

FILED
MAR 24 PM 1:05
RICHARD W. PIERING
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 Joseph Johnson, Jr.,
2 CO#580-1
3 P.O. BOX 5003
4 Coalinga, CA 93210
5 Plaintiff/Pro Se

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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10

11 **JOSEPH JOHNSON, JR.,**

Case No.: 1177 SI (PR)

12 **Plaintiff**

PLAINTIFF'S MOTION TO DISMISS

13 **Vs.**

COMPLAINT WITHOUT PREJUDICE

14 **STEPHEN W. MAYBERG, Ph.D**

15 **Director Of The California Department**

16 **Of Mental Health; And SYLVIA BLOUNT**

17 **Chief Of The Sex Offender Commitment**

18 **Program; JAMES S. CAHAN, Deputy District**

19 **Attorney Of Santa Clara County**

20 **Defendants** _____/

21 Plaintiff filed an original Civil Rights Complaint 42 U.S.A. § 1983 on February
22 27, 2008. Since that time Plaintiff has discovered that there are and were some issues still in the
23 Sixth District Appellate Court that had not been resolved, which are applicable to his U.S.C.
24 §1983 civil rights complaint. At this time Plaintiff Motion the Court to Dismiss his Complaint
25 against Defendants' Without Prejudice, to possible file Amended Complaint at a later date, in
26 order to add and or subtract Defendants from said Civil Rights Complaint. For some of the
27 defendants and or allegations may have been premature .

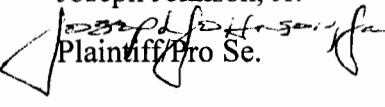
28 Plaintiff thanks the Court for their time and consideration in this matter.

1 I Joseph Johnson, Jr., declare under the penalty of perjury that the foregoing is
2 true and correct.

3 executed on March 18, 2008, at Coalinga State Hospital, City of Coalinga, Fresno, CA 93210.

4 Dated: February 18, 2008

5 Joseph Johnson, Jr.

6  Plaintiff/Pro Se.
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PROOF OF SERVICE BY MAIL

I, JOSEPH JOHNSON, JR., declare:

I am, and was at the time of the service hereinafter mentioned, over the age of 18 years and ~~was~~ a party to the above-entitled cause. My (residence or business) address is #580-1; P.O. BOX 5003 ; Coalinga, CA 93210

and I am a resident of, or employed in, FRESNO County, California.

On the date of March 18, 2008 I served the

PLAINTIFF'S MOTION TO DISMISS COMPLAINT WITHOUT PREJUDICE

(exact title of document(s) served)

by depositing a copy of the document(s) in the United States mail at

(location) Coalinga State Hospital, (city) Coalinga,

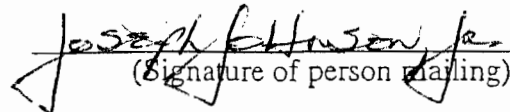
FRESNO County, California in a sealed envelope, with postage fully prepaid, addressed as follows: (In the space below insert the name and mailing address of each person you are serving with these documents. If the person is a party to the action or an attorney for a party, indicate that with the address).

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
450 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102

At the time of mailing there was regular delivery of United States mail between the place of deposit and the place of address.

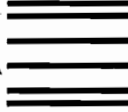
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: March 18, 2008


(Signature of person mailing)

JOSEPH JOHNSON, JR.
(Name of person mailing, typed or printed)

Joseph Johnson, Jr.
#580-1
P.O. BOX 5003
Coalinga, CA 93210



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